

## U.S. Department of Energy

2597 B 3/4 Road, Grand Junction, CO 81503 • (970) 248-6000

Message Center No. \_\_\_\_\_

## Facsimile Cover Sheet

Date October 30, 2006

Sent From (check appropriate box)

☒ S.M. Stoller☐ DOEMake/Model of FAX Canon FAX L770

Verification \_\_\_\_\_

FTS Number (970) 248-6040FTS Number (970) 248-6030Commercial Number (970) 248-6040Commercial Number (970) 248-6030

To Bud Sokolovich 513-246-0595  
Name Phone  
CBC Cincinnati, OH  
Location (street or building) City and State

From Ed Baker 970 246 5566  
Name Phone  
2597 B 3/4 Road Grand Junction CO  
Location (street or building) City and State

Send to FAX Machine Number 513 246 0598

Verification Number \_\_\_\_\_

## Special Instructions

Bud - enclosed per our phone conversation is morning is check request for \$500.00 for Crescent Junction Access road encroachment license (2 pages) and copy of check. Also enclosed is the August 22, 2006 application for the above encroachment permit with copy of \$1055 check (application fee) with total of 4 pages.

This transmittal consists of 7 Pages (excluding cover sheet)Thanks Bud  
Ed

Date Sent \_\_\_\_\_ Verified \_\_\_\_\_

U.S. Department of Energy Office of Legacy Management  
2597 B ½ Road, Grand Junction, CO 81503 • (970) 248-6000

## Check Request

<b>Requester Information</b>	
Requested By: <u>Ed Bekey</u>	TAC ID Number: <u>60605</u>
Phone Number: <u>970 248 6566</u>	Date: <u>10-23-06</u>
<b>Check Preparation and Delivery Information</b>	
Amount: \$ <u>500.00</u>	Date Required: <u>10-23-06</u>
Payee: <u>Union Pacific Railroad Company</u>	
Address: <u>1400 Douglas Street Shop 1690</u> <u>Omaha Nebraska 68179-1690</u>	
Attachments to be mailed/delivered with check? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Describe below what the attachments are: <u>Contractor Endorsement Sec. License Agreements, cover letter</u>	
Method of Delivery: <input checked="" type="checkbox"/> Pick-Up <input type="checkbox"/> Mail <input type="checkbox"/> FedEx <input type="checkbox"/> Other: _____	
<b>Purpose for Check and Justification for Issuing</b>	
<u>Access Road Encroachment License</u> <u>Reference # Folber 01702-81</u>	
<b>Signatures</b>	
Requested By <u>Ed Bekey</u> Printed Name Signature Date: <u>10-23-06</u>	Approved by General/Task/Subtask Manager <u>Karen Karp</u> Printed Name Signature Date: <u>10-23-06</u>
Type of Cost: <u>3110</u> Charge Number: <u>[REDACTED]</u> Org. Number: <u>[REDACTED]</u>	
Notice to Personal: <u>[REDACTED]</u>	
Voucher No: <u>10275</u> Invoice Date: <u>10-23-06</u> Order No: <u>[REDACTED]</u>	
Invoice No: <u>0000010300</u> Vendor No: <u>0000000000</u> Order Date: <u>10-23-06</u>	

**CONTRACTOR'S ENDORSEMENT**

Folder No. 01702-81

A. As a condition to entering upon Licensor's right-of-way to perform work pursuant to this Agreement, Licensee's contractor: *(fill in):* Stoller Corp

(hereinafter "Contractor") agrees to comply with all the terms and provisions of this Agreement relating to the work to be performed and the insurance requirements set forth in Exhibit C.

B. Before the Contractor commences any work, the Contractor will pay the Licensor a nonrefundable payment of \$500 upon execution and return of this Contractor's Endorsement, and will provide the Licensor with a certificate issued by its insurance carrier providing the insurance coverage required pursuant to Exhibit C in a policy which contains the following type endorsement:

UNION PACIFIC RAILROAD COMPANY is named as an additional insured with respect to all liabilities arising out of Insured's performance of work on behalf of the Licensee.

All insurance correspondence shall be directed to: Bill Ince - Folder No. 01702-81, Union Pacific Railroad Company, 1400 Douglas Street STOP 1690, Omaha, Nebraska 68179-1690.

Stoller Corporation  
(Please print Contractor's Name above)

X

Title: \_\_\_\_\_

**U.S. Department of Energy**2597 B ¾ Road  
Grand Junction, CO 81503

August 22, 2006

Mr. Bill Ince  
Manager - Contracts  
Union Pacific Railroad  
1400 Douglas Street, STOP 1690  
Omaha, NE 68179-1690

Subject: Encroachment Permit for Access Road and Electrical Power Line on Union Pacific  
Railroad Right-of-Way near Crescent Junction, Utah

Dear Mr. Ince:

Enclosed is an Application for an Encroachment Permit for proposed access road and power line to service the U.S. Department of Energy (DOE) site near Crescent Junction, Utah. The access road construction will upgrade the existing County Road 223 to within 35 feet of the Union Pacific Railroad (UPRR) tracks. Any upgrades to the railroad will be at the direction of UPRR. The power line would involve connection to an existing Utah Power and Light power pole on the north side of the UPRR right-of-way and installing three single poles within the UPRR right-of-way to the DOE access road. There will be no crossing of the railroad line, and the power line will run mainly parallel to the rail line, limiting impact to UPRR. Enclosed are access road drawings (four) that illustrate detailed design title sheet, site plan, road profile and cross sections. A map is also enclosed illustrating the location of the power line and, specifically, the location of the three new power poles. A check in the amount of \$1,055.00 is included to cover the application fee.

If you have any comments or questions, please contact me at (970) 248-7612 or Ed Baker at (970) 248-6566.

Sincerely,

A handwritten signature in dark ink, appearing to read "Donald R. Metzler".

Donald R. Metzler  
Moab Federal Project Director

Enclosures

cc w/enclosures:  
B. Sokolovich, EM-CBC  
E. Baker, Stoller  
Project File MOA 5.4(A) (DOE)

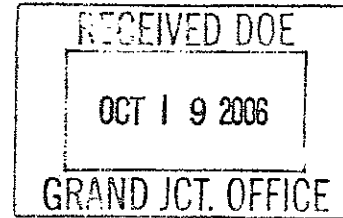
## APPLICATION

- 1) Name of Licensee: U.S. Department of Energy  
(Name to be shown on Document)
- a) If a corporation \_\_\_\_\_  
(Exact Name of Corporation)
- a corporation of the State of \_\_\_\_\_  
(State of Incorporation)
- NOTE: The corporate name of a company should be exactly as stated in its Articles of Incorporation. Type of Corporation, if other than a normal business corporation, MUST be shown:
- \_\_\_\_\_  
(Municipal, quasi-municipal, body politic, etc.)
- b) If an individual \_\_\_\_\_  
(Name of Individual)
- of \_\_\_\_\_  
(City & State)
- c) If an individual or corporation doing business under a trade name:  
\_\_\_\_\_  
(Doing Business As or Trade Name)
- d) If a partnership \_\_\_\_\_  
(Name of Partnership)
- a partnership consisting of:  
\_\_\_\_\_  
and \_\_\_\_\_  
all of \_\_\_\_\_  
(City & State)
- 2) Address of Licensee:  
2597 B 3/4 Road, Grand Junction, CO 81503
- 3) Name and mailing address of individual to whom instrument is to be sent for execution if different than shown in Item 2:  
Donald R. Metzler 2597 B 3/4 Road, Grand Junction, CO 81503  
Moab Federal Project Director (Name & Address)
- 4) Billing address if different than shown in Item 2:  
\_\_\_\_\_  
(Address)
- 5) Name and phone number of individual to contact in event of questions:  
Ed Baker  
Phone: (970) 248-6566 FAX # (970) 248-7628
- 6) a) Do you plan to utilize the right-of-way for a public use (for a utility crossing)? ☒ Yes ☐ No  
b) Do you have authority to utilize the right-of-way for a public use by condemnation? ☒ Yes ☐ No  
c) Will you initiate condemnation proceedings to acquire the subject property in the event negotiations are unsuccessful? ☐ Yes ☒ No

- 7) When do you expect construction to begin on the Railroad Company's property? September 18, 2006
- 8) When do you need to receive this agreement from the Railroad Company? September 18, 2006  
(Please allow 30-45 days for crossings and 90-120 days for encroachments)
- 9) Permanent or Temporary Installation - Temporary  
If Temporary, estimated term - 2036
- 10) Location of Installation - Crescent Junction, Grand, Utah  
(City, County & State)  
2000 ft. (N), (S), (E), or (W) of the (N), (S), (E), (W) or (Center) line of Section 34  
Township 21S. (N) or (S), Range 19E. (E) or (W).
- 11) New installation, relocation or modification of existing installation which is located on the Railroad Company's property or across tracks?  
Modification
- 12) Do you have an existing agreement at this location with the Railroad Company which is to be affected by this request?  
(X) No ( ) Yes, Railroad Company Contract Number: \_\_\_\_\_
- 13) Is installation a crossing \_\_\_\_\_ or encroachment Encroachment or both? \_\_\_\_\_
- 14) Is installation located within a dedicated public street? No \_\_\_\_\_  
Yes X, enclosed are records which identify and prove the dedication of such public way.
- 15) Additional information pertinent to this installation: Improvement to existing County Road 223 will be no within 35 feet of the UPRR tracks. Powerline will run west from existing Utah Power and Light (Rocky Mountain Power and Light) power pole and across the north boundary of UPRR right of way to the new DOE access road right of way. Encroachment will involve setting three single poles.
- 16) If an encroachment, who will be served?  
U.S. Department of Energy  
(Railroad, Railroad Tenant, General Public, etc)
- 17) Did the Railroad Company's magazine advertisement affect your decision to utilize the right-of-way for a utility corridor?  
( ) Yes (X) No. If not, did another medium impress your decision? ( ) Yes (X) No  
If applicable, please advise other medium: \_\_\_\_\_

## CONTRACTOR AND INSTALLATION INFORMATION

- 18) Will construction be by a Contractor? ( ) No (X) Yes  
If yes, Contractor will be: S.M. Stoller Corporation by Subcontractor  
Address: 2597 B 3/4 Road, Grand Junction, CO 81503  
Corporate Status: Colorado  
Name and Phone Number of individual to contact in the event of questions:  
Ed Baker, 970-248-6566
- 19) Describe in detail the method and manner of installation on the Railroad Company's property:  
Proposed powerline would be installed according to industry standards in previously cleared UPRR right of way. Single poles would be used from existing line to DOE access right of way. (see attached map). Construction drawings (5) are attached illustrating road specifications.



October 16, 2006  
Folder: 01702-81

DONALD R. METZLER  
UNITED STATES DEPARTMENT OF ENERGY  
2597 B 3/4 ROAD  
GRAND JUNCTION CO 81503

Dear Mr. Metzler:

Enclosed is a duplicate of License covering Right of Entry located at Thompson, Grand County, Utah. The terms of this document are final and non-negotiable. Do not make any alterations or changes to the document.

Please execute (*or arrange for execution*) in ink of the duplicate original counterparts of this document and have the signatures witnessed or attested, as indicated. Please **RETURN BOTH COPIES** of the document for execution on behalf of the Railroad Company. Your copy of the fully executed document will be returned to you, when approved by the Railroad Company. You are not authorized to enter the Railroad's property or begin any work until you have received your fully executed counterpart from the Railroad and have made all required contacts and notifications.

This agreement will not be accepted by the Railroad Company until you have returned all of the following to the undersigned at Union Pacific Railroad Company:

- (1) Executed, unaltered duplicate original counterparts of Right of Entry Agreement [*including the Contractor's Endorsement(s)*];
- (2) All Insurance Certificates (*yours and all contractors'*), naming Union Pacific Railroad Company as additional insured;

**RETURN ALL OF THESE REQUIRED ITEMS TOGETHER IN ONE ENVELOPE.  
DO NOT MAIL ANY ITEM SEPARATELY.**

Please contact me with any questions or concerns at (402) 544-8498.

Sincerely yours,

Bill Ince  
Manager - Contracts - Real Estate

**Real Estate**

UNION PACIFIC RAILROAD  
1400 Douglas Street, Stop 1690  
Omaha, Nebraska 68179-1690  
fx (402) 501-0340